

AMENDED

Serial No. 60976

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office FEB 27 1995
 Returned to applicant for correction APR 04 1995
 Corrected application filed MAY 23 1995 Map filed MAY 23 1995 Existing POD under 49542 12/18/85

The applicant City of Wells
 279 Clover Avenue of Wells
 Nevada 89835
 hereby make application for permission to change the Point of Diversion
 Permit No. 49543
 of water heretofore appropriated under
 identify right in Decree.

- The source of water is Underground
 Name of stream, lake, underground spring or other source.
- The amount of water to be changed 1.00 cfs
 Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Municipal
 Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Municipal
 Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point SW 1/4 SE 1/4 of Section 2, T 37 N, R 62 E, MDB & M.,
 Describe as being within a 40-acre subdivision of public survey and by course and at a point from which the S 1/4 corner of said Section 2 bears S 65°40'59" W, 699.10 feet distance to a section corner. If on unsurveyed land, it should be stated.
 699.10 feet.
- The existing permitted point of diversion is located within NW 1/4 SE 1/4 of Section 10, T 37 N, R 62 E, MDB & M.,
 If point of diversion is not changed, do not answer.
 MDB & M., at a point from which the NE corner of said Section 10 bears N 25°44'00" E. 4400.00 feet.
- Proposed place of use All of Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 14, 15, 16, 17, T 37 N, R 62 E, MDB & M.
 Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use Same as Above
 Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1 to December 31 of each year.
 Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.
 Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, Pump, Motor, Storage Tank, Distribution System
 State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$350,000
- Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use 10 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Please use the map that accompanied Permit No. 49543 for the existing Point of Diversion. The waters under this application are to be used by the City of Wells, Nevada with a population of approximately 1500 people. The annual consumptive use will be 235.906 million gallons annually.

HIGH DESERT Engineering, Agent
By s/ Robert E. Morley
640 Idaho Street
Elko, NV 89801

Compared sm/jk cl/cms

Protested _____

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 49543 is issued subject to the terms and conditions imposed in said Permit 49543 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 48797, 48798, 48801, 48802, 48803, 49542, and 60976 shall not exceed 2,302.16 million gallons annually.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second but not to exceed 235.906 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before August 30, 1997

Proof of completion of work shall be filed before September 30, 1997

Application of water to beneficial use shall be made on or before August 30, 1998

Proof of the application of water to beneficial use shall be filed on or before September 30, 1998

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed SEP 29 2000

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 1st day of October

A.D. 19 96

R. Michael Turnipseed P.E.
State Engineer